



Memorandum

To: Rick Sun, Los Angeles County Department of Public Works

From: Wendy Katagi and Jennifer Jones, CDM Smith

Date: November 19, 2014

Subject: Memorandum for the Pre-Construction Bird Nesting/Tree Survey for the Oxford Retention Basin Multiuse Enhancement Project

Introduction

This memorandum summarizes the methods and findings of the bird nesting/tree survey for the Oxford Retention Basin Multiuse Enhancement project. This memorandum is also intended to fulfill POLICY NO. 23 - MARINA DEL REY TREE PRUNING AND TREE REMOVAL POLICY of Marina del Rey Land Use Plan dated Feb 8, 2012, the following guidance applies to this scope of work. During the non-breeding season, at least fourteen (14) days prior to tree pruning, a qualified biologist shall coordinate with the County's landscape contractor and survey the trees to be pruned or removed to detect nests by conducting a ground level visual inspection of the trees scheduled for pruning. The tree survey report shall include a map with the respective status of all the trees scheduled for pruning or removal and a plot plan showing any trees suspected to have active or unoccupied nests. Copies of the survey and plot plan shall be filed by the Department for public agency review. The subject tree removal plan is provided in Figure 1.

Methods

The pre-construction bird nesting/tree removal survey was conducted by Jennifer Jones, CDM Smith biologist on November 18, 2014. The survey began at approximately 11:30 a.m. and was completed at approximately 4:00 p.m. The survey was conducted during ebb tide in the Basin.

During the survey, the biologist walked the entire project area and visually surveyed each tree proposed for removal with a pair of binoculars. Potential nests were observed for several minutes to determine the presence of birds or nesting activity. Birds present in the project area were observed for any evidence of breeding behavior (e.g., courtship, carrying nesting material or food).

Results

No active bird nests were observed within the project boundary, inclusive of all trees to be removed per the tree removal plan found in Figure 1. Within the project boundary, an inactive and/or old nest was observed within a large Eucalyptus tree in the southeast portion of the project site along Admiralty Way. Several crows were present in the tree; however, no nesting behavior was observed. Outside of the project boundary, adjacent to the bike path and Yvonne Burke Park, several inactive nests of waterbirds

(black-crowned night-heron and snowy egret) were documented during the nesting season in 2014 (Hamilton Biological, 2014). These nests were observed by Ms. Jones on November 19, 2014. None of the nests were found to be active on November 19, 2014. The closest nest to the project site is over 500 feet away from the construction zone. Construction staging will occur on the opposite side of the Basin, adjacent to the Hilton Garden Inn.

Table 1 provides a list of bird species observed during the survey.

Table 1. Bird Species Observed during the Nesting Bird Survey on November 18, 2014		
Common Name	Scientific Name	Comments
American Wigeon	<i>Anas americana</i>	Several foraging throughout Basin
Mallard	<i>Anas platyrhynchos</i>	3 individuals foraging in southeast portion of Basin
Lesser Scaup	<i>Aythya affinis</i>	Several foraging throughout Basin
Eared Grebe	<i>Podiceps nigricollis</i>	Several foraging throughout Basin
Great Blue Heron	<i>Ardea herodias</i>	1 individual foraging in Basin
Great Egret	<i>Ardea alba</i>	1 individual foraging in Basin
Snowy Egret	<i>Egretta thula</i>	Several foraging throughout Basin
Osprey	<i>Pandion haliaetus</i>	1 individual perched on pine next to tide gate
American Coot	<i>Fulica americana</i>	2-3 individuals foraging in Basin
Gull	<i>Larus sp.</i>	Several flyovers
Rock Pigeon	<i>Columba livia</i>	Several observed flying over Basin
Mourning Dove	<i>Zenaida macroura</i>	Several observed in vegetation at western portion of Basin
Anna's Hummingbird	<i>Calypte anna</i>	One male observed in vegetation at western portion of Basin
Belted Kingfisher	<i>Megaceryle alcyon</i>	1 individual foraging in Basin
Black Phoebe	<i>Sayornis nigricans</i>	Two individuals foraging in vegetation around Basin
American Crow	<i>Corvus brachyrhynchos</i>	Several observed in Eucalyptus trees near southeastern portion of Basin
Ruby-crowned Kinglet	<i>Regulus calendula</i>	2-3 individuals foraging in vegetation in southern portion of Basin
Northern Mockingbird	<i>Mimus polyglottos</i>	1 individual observed in vegetation in western portion of Basin
Orange-crowned Warbler	<i>Oreothlypis celata</i>	1 individual foraging in vegetation in southern portion of Basin
Yellow-rumped Warbler	<i>Setophaga coronata</i>	Several individuals foraging in vegetation around Basin
Townsend's Warbler	<i>Setophaga townsendi</i>	1 individual observed in vegetation in southern portion of Basin
White-crowned sparrow	<i>Zonotrichia leucophrys</i>	1 individual observed in vegetation in western portion of Basin
House Finch	<i>Haemorhous mexicanus</i>	Several observed in vegetation around Basin

Conclusions

A nesting bird survey was conducted on November 19, 2014 by a CDM Smith biologist in compliance with POLICY NO. 23 - MARINA DEL REY TREE PRUNING AND TREE REMOVAL POLICY. No active nests were identified within the project boundary or within 500 feet of the project boundary where tree removal would occur. Tree removal is scheduled to begin in early December. Based on the results of the survey, tree removal activities would be in compliance with the Migratory Bird Treaty Act and California Fish and Game Code, and would not result in impacts to breeding, roosting and nesting habitats of federal and state-listed species, California Species of Special Concern, and colonial waterbirds.

References

Hamilton Biological. 2014. Final Report on Nesting Waterbirds and Raptors. Marina Del Rey, Los Angeles County, CA. September.

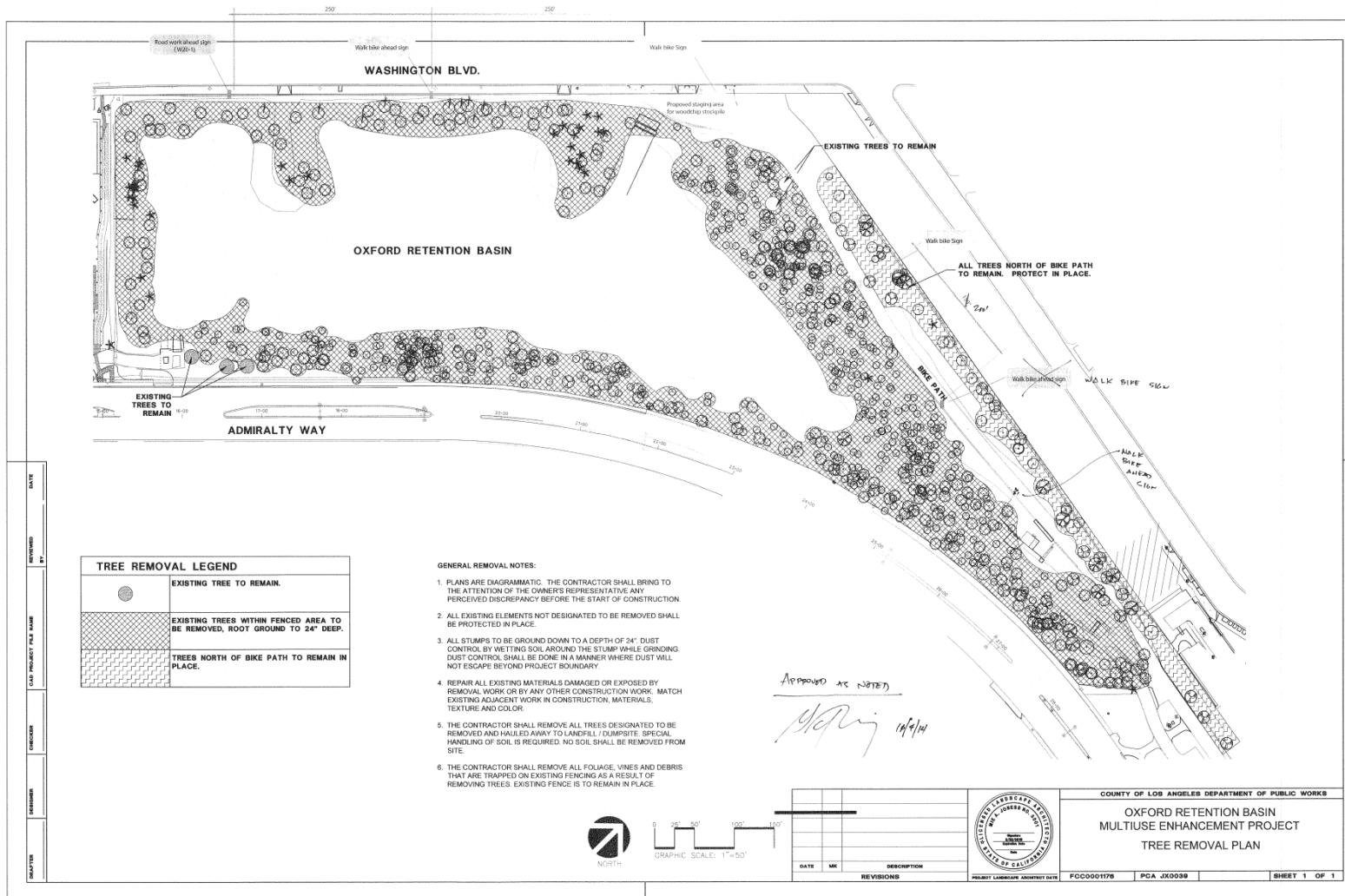


Figure 1 Oxford Retention Basin Multiuse Enhancement Project Tree Removal Plan